IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

Bail Appl..No. 3037 of 2007()

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CRIME NO.8/2007 OF ARYANAD EXCISE RANGE

PETITIONER/ACCUSED:

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ANI, AGED 26 YEARS,
S/O.SURENDRAN, MALAYANTHERI HOUSE,
VISHNU NAGAR HOUSING BOARD COLONY,
ARYANAD.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENT/COMPLAINANT:

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STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

**B.A. No. 3037 OF 2007**

**Dated this the 29th day of May, 2007**

**O R D E R**

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the accused in C.R.No.8/07 of Aryanad Excise Range for offences punishable under sections 8(1), 8(2), 65 and 67 of the Abkari Act for allegedly having been found in possession of 35 litres of arrack on 22.4.07, seeks anticipatory Bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of, preferably on the same day on which it is filed, bearing in mind the decision in ***Sukumari Vs. State of Kerala*** [2001 (1) KLT 22].

This application is disposed of as above.

**(V. RAMKUMAR, JUDGE)**

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